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SENATE BILL 6810

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State of Washington

60th Legislature

2008 Regular Session

By Senators Shin, Schoesler, Kline, Weinstein, Berkey, Franklin, McDermott, Delvin, Hargrove, Hewitt, Pridemore, Hobbs, Rasmussen, Fraser, Kastama, Fairley, Murray, Keiser, Kauffman, Kohl-Welles, Oemig, Kilmer, and McAuliffe

Read first time 01/24/08. Referred to Committee on Water, Energy & Telecommunications.

1 AN ACT Relating to programs to encourage the use of water-efficient  
2 products; amending RCW 35.92.017, 36.94.460, 54.16.032, and 57.08.160;  
3 adding a new section to chapter 43.63A RCW; creating a new section; and  
4 making an appropriation.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

7 (a) Water is vital to the survival of life on the planet and is  
8 limited in supply. Communities across the state are starting to face  
9 challenges regarding water supply and water infrastructure. One way to  
10 help extend Washington's water supply is by promoting water efficiency  
11 and enhancing the market for water-efficient products, programs, and  
12 practices;

13 (b) Bathrooms are, by far, the largest user of water in the home,  
14 responsible for about one-half of total indoor water use;

15 (c) Toilets account for approximately thirty percent of residential  
16 indoor water consumption. Toilets are a major source of wasted water  
17 due to leaks or inefficiency. Under federal and state law, toilets  
18 sold in the United States must not exceed 1.6 gallons per flush. High-  
19 efficiency toilets go beyond the standard and use less than 1.3 gallons

1 per flush. Power assist and pressure assist toilets use even less  
2 water, some even less than one gallon of water per flush. If every  
3 home in the United States replaced old toilets with new high-efficiency  
4 toilets, the savings would be more than nine hundred billion gallons of  
5 water a year;

6 (d) Bathroom faucets account for more than fifteen percent of  
7 indoor household water use, more than one trillion gallons of water in  
8 the United States. High-efficiency bathroom sink faucets and  
9 accessories such as aerators can reduce the standard flow of a bathroom  
10 faucet by more than thirty percent without sacrificing performance. By  
11 installing a high-efficiency bathroom sink faucet, an average household  
12 will save more than five hundred gallons of water each year;

13 (e) Showering is one of the top uses of residential water in the  
14 United States, representing approximately seventeen percent of indoor  
15 water use--more than 1.2 trillion gallons of water each year. A full  
16 bath tub requires about seventy gallons of water, while taking a five-  
17 minute shower uses ten to twenty-five gallons;

18 (f) Besides saving water and reducing a customer's costs, water  
19 efficiency offers many other benefits:

20 (i) Less water withdrawn from rivers, lakes, and aquifers, which  
21 keeps these water bodies healthy;

22 (ii) Improved water quality due to increased river flows;

23 (iii) Less energy required to pump and treat the water, therefore  
24 less greenhouse gas emissions;

25 (iv) Less wastewater that requires collection, treatment, and  
26 disposal; and

27 (v) Less pollution from treated wastewater in our streams and  
28 waterways.

29 (2) It is therefore the intent of the legislature to encourage  
30 water efficiency by providing educational outreach to the public about  
31 high-efficiency bathroom fixtures and other ways to conserve water  
32 through water-efficiency programs.

33 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.63A RCW  
34 to read as follows:

35 (1) The department of community, trade, and economic development,  
36 in consultation with the department of health, shall work with  
37 purveyors to establish an educational outreach program on the use of

1 water-efficient products including, but not limited to, working with  
2 the United States environmental protection agency to encourage  
3 customers to choose highly water-efficient fixtures labeled under its  
4 watersense program.

5 (2) The department of community, trade, and economic development  
6 shall, in consultation with the department of health, and subject to  
7 the availability of amounts appropriated to the department of  
8 community, trade, and economic development for this specific purpose,  
9 establish a program to provide grants to purveyors for rebates or other  
10 programs that assist its customers in purchasing highly efficient  
11 indoor water use fixtures, including those certified by the United  
12 States environmental protection agency. The grants must include a  
13 condition requiring that replaced fixtures be destroyed so that they  
14 cannot be reused.

15 (3) The legislature adopts a policy goal that by July 1, 2013, at  
16 least fifty percent of all toilets installed in new homes are toilets  
17 that use less than one gallon of water for each flush.

18 (4) The department of community, trade, and economic development  
19 shall report to the relevant policy committees of the senate and house  
20 of representatives by December 31, 2013, concerning the educational  
21 outreach program, the grant program, and the installation of toilets  
22 that use less than one gallon of water for each flush in new home  
23 construction.

24 (5) For purposes of this section, "purveyor" has the same meaning  
25 as defined in RCW 70.119A.020.

26 **Sec. 3.** RCW 35.92.017 and 1989 c 421 s 3 are each amended to read  
27 as follows:

28 (1) Any city or town engaged in the sale or distribution of water  
29 is hereby authorized, within limits established by the Constitution of  
30 the state of Washington, to assist the owners of structures in  
31 financing the acquisition and installation of fixtures, systems, and  
32 equipment, for compensation or otherwise, for the conservation or more  
33 efficient use of water in the structures under a water conservation  
34 plan adopted by the city or town if the cost per unit of water saved or  
35 conserved by the use of the fixtures, systems, and equipment is less  
36 than the cost per unit of water supplied by the next least costly new

1 water source available to the city or town to meet future demand.  
2 Except where otherwise authorized, assistance shall be limited to:

3 ~~((1))~~ (a) Providing an inspection of the structure, either  
4 directly or through one or more inspectors under contract, to determine  
5 and inform the owner of the estimated cost of purchasing and installing  
6 conservation fixtures, systems, and equipment for which financial  
7 assistance will be approved and the estimated life cycle savings to the  
8 water system and the consumer that are likely to result from the  
9 installation of the fixtures, systems, or equipment;

10 ~~((2))~~ (b) Providing a list of businesses that sell and install  
11 the fixtures, systems, and equipment within or in close proximity to  
12 the service area of the city or town, each of which businesses shall  
13 have requested to be included and shall have the ability to provide the  
14 products in a workmanlike manner and to utilize the fixtures, systems,  
15 and equipment in accordance with the prevailing national standards;

16 ~~((3))~~ (c) Arranging to have approved conservation fixtures,  
17 systems, and equipment installed by a private contractor whose bid is  
18 acceptable to the owner of the structure and verifying the  
19 installation; and

20 ~~((4))~~ (d) Arranging or providing financing for the purchase and  
21 installation of approved conservation fixtures, systems, and equipment.  
22 The fixtures, systems, and equipment shall be purchased or installed by  
23 a private business, the owner, or the utility.

24 (2) Pay back shall be in the form of incremental additions to the  
25 utility bill, billed either together with the use charge or separately.  
26 Loans shall not exceed one hundred twenty months in length.

27 (3) A city or town engaged in the sale or distribution of water may  
28 apply for a grant from the department of community, trade, and economic  
29 development under section 2 of this act.

30 **Sec. 4.** RCW 36.94.460 and 1992 c 25 s 3 are each amended to read  
31 as follows:

32 (1) Any county engaged in the sale or distribution of water is  
33 hereby authorized, within limits established by the Constitution of the  
34 state of Washington, to assist the owners of structures that are  
35 provided water service by the county in financing the acquisition and  
36 installation of fixtures, systems, and equipment, for compensation or  
37 otherwise, for the conservation or more efficient use of water in the

1 structures under a water conservation plan adopted by the county if the  
2 cost per unit of water saved or conserved by the use of the fixtures,  
3 systems, and equipment is less than the cost per unit of water supplied  
4 by the next least costly new water source available to the county to  
5 meet future demand. Except where otherwise authorized, assistance  
6 shall be limited to:

7 ~~((1))~~ (a) Providing an inspection of the structure, either  
8 directly or through one or more inspectors under contract, to determine  
9 and inform the owner of the estimated cost of purchasing and installing  
10 conservation fixtures, systems, and equipment for which financial  
11 assistance will be approved and the estimated life cycle savings to the  
12 water system and the consumer that are likely to result from the  
13 installation of the fixtures, systems, or equipment;

14 ~~((2))~~ (b) Providing a list of businesses that sell and install  
15 the fixtures, systems, and equipment within or in close proximity to  
16 the service area of the county, each of which businesses shall have  
17 requested to be included and shall have the ability to provide the  
18 products in a workmanlike manner and to utilize the fixtures, systems,  
19 and equipment in accordance with the prevailing national standards;

20 ~~((3))~~ (c) Arranging to have approved conservation fixtures,  
21 systems, and equipment installed by a private contractor whose bid is  
22 acceptable to the owner of the structure and verifying the  
23 installation; and

24 ~~((4))~~ (d) Arranging or providing financing for the purchase and  
25 installation of approved conservation fixtures, systems, and equipment.  
26 The fixtures, systems, and equipment shall be purchased or installed by  
27 a private business, the owner, or the utility.

28 (2) Pay back shall be in the form of incremental additions to the  
29 utility bill, billed either together with ~~((the))~~ the use charge or  
30 separately. Loans shall not exceed one hundred twenty months in  
31 length.

32 (3) A municipal corporation engaged in the sale or distribution of  
33 water may apply for a grant from the department of community, trade,  
34 and economic development under section 2 of this act.

35 **Sec. 5.** RCW 54.16.032 and 1989 c 421 s 4 are each amended to read  
36 as follows:

37 (1) Any district is hereby authorized, within limits established by

1 the Constitution of the state of Washington, to assist the owners of  
2 structures in financing the acquisition and installation of fixtures,  
3 systems, and equipment, for compensation or otherwise, for the  
4 conservation or more efficient use of water in the structures under a  
5 water conservation plan adopted by the district if the cost per unit of  
6 water saved or conserved by the use of the fixtures, systems, and  
7 equipment is less than the cost per unit of water supplied by the next  
8 least costly new water source available to the district to meet future  
9 demand. Except where otherwise authorized, assistance shall be limited  
10 to:

11 ~~((1))~~ (a) Providing an inspection of the structure, either  
12 directly or through one or more inspectors under contract, to determine  
13 and inform the owner of the estimated cost of purchasing and installing  
14 conservation fixtures, systems, and equipment for which financial  
15 assistance will be approved and the estimated life cycle savings to the  
16 water system and the consumer that are likely to result from the  
17 installation of the fixtures, systems, or equipment;

18 ~~((2))~~ (b) Providing a list of businesses that sell and install  
19 the fixtures, systems, and equipment within or in close proximity to  
20 the service area of the city or town, each of which businesses shall  
21 have requested to be included and shall have the ability to provide the  
22 products in a workmanlike manner and to utilize the fixtures, systems,  
23 and equipment in accordance with the prevailing national standards;

24 ~~((3))~~ (c) Arranging to have approved conservation fixtures,  
25 systems, and equipment installed by a private contractor whose bid is  
26 acceptable to the owner of the structure and verifying the  
27 installation; and

28 ~~((4))~~ (d) Arranging or providing financing for the purchase and  
29 installation of approved conservation fixtures, systems, and equipment.  
30 The fixtures, systems, and equipment shall be purchased or installed by  
31 a private business, the owner, or the utility.

32 (2) Pay back shall be in the form of incremental additions to the  
33 utility bill, billed either together with the use charge or separately.  
34 Loans shall not exceed one hundred twenty months in length.

35 (3) A public utility district engaged in the sale or distribution  
36 of water may apply for a grant from the department of community, trade,  
37 and economic development under section 2 of this act.

1       **Sec. 6.** RCW 57.08.160 and 1996 c 230 s 324 are each amended to  
2 read as follows:

3       (1) Any district is hereby authorized, within limits established by  
4 the Constitution of the state of Washington, to assist the owners of  
5 structures in financing the acquisition and installation of fixtures,  
6 systems, and equipment, for compensation or otherwise, for the  
7 conservation or more efficient use of water in the structures under a  
8 water conservation plan adopted by the district if the cost per unit of  
9 water saved or conserved by the use of the fixtures, systems, and  
10 equipment is less than the cost per unit of water supplied by the next  
11 least costly new water source available to the district to meet future  
12 demand. Except where otherwise authorized, assistance shall be limited  
13 to:

14       ~~((1))~~ (a) Providing an inspection of the structure, either  
15 directly or through one or more inspectors under contract, to determine  
16 and inform the owner of the estimated cost of purchasing and installing  
17 conservation fixtures, systems, and equipment for which financial  
18 assistance will be approved and the estimated life cycle savings to the  
19 water system and the consumer that are likely to result from the  
20 installation of the fixtures, systems, or equipment;

21       ~~((2))~~ (b) Providing a list of businesses that sell and install  
22 the fixtures, systems, and equipment within or in close proximity to  
23 the service area of the city or town, each of which businesses shall  
24 have requested to be included and shall have the ability to provide the  
25 products in a workmanlike manner and to utilize the fixtures, systems,  
26 and equipment in accordance with the prevailing national standards;

27       ~~((3))~~ (c) Arranging to have approved conservation fixtures,  
28 systems, and equipment installed by a private contractor whose bid is  
29 acceptable to the owner of the structure and verifying the  
30 installation; and

31       ~~((4))~~ (d) Arranging or providing financing for the purchase and  
32 installation of approved conservation fixtures, systems, and equipment.  
33 The fixtures, systems, and equipment shall be purchased or installed by  
34 a private business, the owner, or the utility.

35       (2) Pay back shall be in the form of incremental additions to the  
36 utility bill, billed either together with the use charge or separately.  
37 Loans shall not exceed one hundred twenty months in length.

1       (3) A water-sewer district engaged in the sale or distribution of  
2 water may apply for a grant from the department of community, trade,  
3 and economic development under section 2 of this act.

4       NEW SECTION.   **Sec. 7.**   The sum of five hundred thousand dollars, or  
5 as much thereof as may be necessary, is appropriated for the fiscal  
6 year ending June 30, 2009, from the general fund to the department of  
7 community, trade, and economic development for the purposes of this  
8 act.

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